

Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word
Krueger	

**Nays—2**

Hardeman	Rogers
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**Absent**

Owen

**Absent—Excused**

Herring

**Welcome Resolutions**

S. R. No. 133—By Senator Strong: Extending welcome and privileges of floor to the Honorable John Smith and the Honorable Jerry Harris of Longview.

S. R. No. 135—By Senator Moore: Extending welcome to students, teachers and sponsors of Saint Mary's School of Bremond, Robertson County.

S. R. No. 136—By Senators Aikin and Hall: Extending welcome to Gyles D. Norwood et al.

S. R. No. 137—By Senator Cole: Extending welcome to 14 students of Europe and Latin American Countries accompanied by their sponsor, Mrs. William P Steven, wife of the Editor of The Houston Chronicle.

S. R. No. 139—By Senator Schwartz: Extending welcome by Mr. George Morgan et al.

**Memorial Resolution**

S. R. No. 132—By Senators Watson and Patman: Memorial resolution for Mrs. R. L. Vaughan; amended to include the names of Lieutenant Governor and all the Senators as signers thereof.

**Adjournment**

On motion of Senator Dies the Senate at 12:04 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

**TWENTY-FIFTH DAY**

(Tuesday, February 19, 1963)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moore
Blanchard	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word

**Absent—Excused**

Calhoun	Moffett
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Calhoun was granted leave of absence for today on account of illness on motion of Senator Ratliff.

Senator Moffett was granted leave of absence for today on account of important business on motion of Senator Aikin.

**Report of Standing Committee**

Senator Aikin submitted the following report:

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 118, have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do not pass and be not printed.

AIKIN, Chairman.

#### Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senator Spears:

S. B. No. 291, A bill to be entitled "An Act creating the County Civil Court at Law of Bexar County; providing for the organization thereof and practice therein; defining the jurisdiction thereof and conforming to such change the jurisdiction of the County Court of Bexar County, Texas; providing for the appointment and election of the Judge; prescribing his qualifications, powers, duties, term of office and compensation; providing for the appointment of an official court reporter for said court; prescribing his qualifications, duties and compensation; providing for the appointment, designation and compensation of other officers of the court; making other provisions relative to the business and functioning of the said County Civil Court at Law, the County Courts at Law, and the County Court of Bexar County, Texas; providing for appointment and election of a Special Judge; providing for a seal for said County Civil Court at Law; providing a repealing clause; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Rogers and Cole:

S. B. No. 292, A bill to be entitled "An Act abolishing the State Parks Board and transferring the authority, powers, duties and functions of the State Parks Board to the State Highway Department; creating the Texas Parks Fund; abolishing certain special funds in the State Treasury; providing for severability; repealing all laws in conflict; providing an effective date; and declaring an emergency."

To the Committee on State Affairs.

By Senator Crump:

S. B. No. 293 A bill to be entitled "An Act providing that Brown County Water Improvement District No. 1 may collect delinquent taxes and bring suit for the collection of such

taxes, by foreclosure and otherwise, after the bonds and the interest on said bonds, for which taxes have been levied and assessed, have been paid; providing for the use of funds so collected and the use of any surplus in the "Interest and Sinking Fund"; and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Resolution 141

Senator Hardeman offered the following resolution:

Whereas, With the adoption of the Declaration of Independence by "The Great Convention" at Washington-on-the-Brazos, followed by the fall of the Alamo on "one of the most pathetic days of time" and the defeat of General Santa Anna at San Jacinto, which gave to Texas victory and to history its sixteenth world decisive battle, an independent Republic was launched and quickly gained the respect and recognition of other Nations; and

Whereas, It was inevitable that the Republic of Texas, with the prerogatives and responsibilities accorded thereto, and join the commonwealth of States forming the Federal Union; and

Whereas, In appropriate ceremonies, unparalleled in the history of free governments, the Lone Star Flag was furled, as the Republic of Texas ceased its labors and its traditions reached the quiet limits of the world, when on February 19, 1846, Texas became the twenty-eighth star on the field of blue, thus adding lustre to our National Emblem; and

Whereas, It is the desire of the Senate to recognize the 117th Anniversary of Statehood; now, therefore, be it

Resolved by the Senate of Texas, That it does hereby recognize this outstanding event and call on the people of the State, along with the members of the Senate, to re-dedicate themselves to the principles of the Founding Fathers and to steep themselves in the great traditions of the Lone Star State.

HARDEMAN  
WORD  
AIKIN

The resolution was read and was adopted.

**Reports of Standing Committee**

Senator Dies by unanimous consent submitted the following reports:

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 291, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

Austin, Texas,  
February 19, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 278, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

**Senate Concurrent Resolution 22**

Senator Blanchard offered the following resolution:

S. C. R. No. 22, Petitioning Congress to call a convention for a proposed amendment to the Constitution relative to apportionment of representation in the State Legislature.

Whereas, The relationship that exists between the federal government and the governments of the states is a matter of vital concern; and

Whereas, It is important to maintain this relationship in the manner that was intended by the framers of the Constitution of the United States; and

Whereas, It is considered that recent federal judicial decisions create an imbalance of power tending to increase concentration of authority in the federal government over matters of local concern to the several states and the citizens thereof; and

Whereas, Apportionment of a state legislature is considered to be a matter of concern to the states alone and to the people thereof acting and exercising their rights inherent as citizens of their state and as citizens of the United States; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

**"ARTICLE .....**

"Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any state in the apportionment of representation in its legislature.

"Sec. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a state legislature.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several states within seven (7) years from the date of its submission."

Be it further Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

Be it further Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

BLANCHARD  
KRUEGER  
CREIGHTON

The resolution was read.

Senator Blanchard asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Blanchard then moved to suspend the regular order of business and consider the resolution immediately.

The motion prevailed by the following vote:

Yeas—23

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Colson	Hall

Hardeman	Reagan
Hazlewood	Richter
Kazen	Rogers
Krueger	Schwartz
Moore	Strong
Owen	Watson
Patman	Word
Ratliff	

Nays—5

Cole	Parkhouse
Harrington	Spears
Kennard	

Absent—Excused

Calhoun	Moffett
Herring	

Pending discussion of the resolution, Senator Reagan occupied the Chair.

(President in the Chair.)

Question—Shall S. C. R. No. 22 be adopted?

**Executive Session**

On motion of Senator Schwartz and by unanimous consent the Senate agreed to hold an Executive Session at 11:45 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Board of Directors of A & M College of Texas, for six-year terms to expire January 10, 1969: L. F. Peterson of Fort Worth, Tarrant County; Gardiner Symonds of Houston, Harris County; Dr. A. P. Beutel of Freeport, Brazoria County.

To be members of the Board of Regents of the University of Texas, for six-year terms to expire January 10, 1969: Mrs. Ruth Carter Johnson of Fort Worth, Tarrant County; Rabbi Levi Olan of Dallas, Dallas County.

The Secretary of the Senate also advised the Journal Clerk that the Senate had rejected the following nomination of the Governor:

To be a member of the Board of Regents of the University of Texas, for a six-year term to expire January 10, 1969: Judge W. St. John Garwood of Austin, Travis County.

**In Legislative Session**

The President called the Senate to order as In Legislative Session at 11:55 o'clock a.m.

**Welcome Resolutions**

S. R. No. 142—By Senator Creighton: Extending welcome to Mrs. Bob Hickey and son Jeff of Mineral Wells.

S. R. No. 143—By Senator Patman: Extending welcome to Robert K. Steer and son, James Kenneth, and naming James Kenneth Steer an Honorary Page for the day.

S. R. No. 144—By Senator Cole: Extending welcome to students and teachers of Alief Elementary School.

S. R. No. 145—By Senator Strong: Extending welcome to James Crook and Gerald McNeill of Henderson and Ed Pritchard of Fort Worth.

**Memorial Resolution**

S. R. No. 140—By Senator Watson: Memorial resolution for Mrs. Nancy O. Walker.

**Adjournment**

On motion of Senator Dies the Senate at 11:57 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**TWENTY-SIXTH DAY**

(Wednesday, February 20, 1963)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Harrington
Bates	Hazlewood
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan